APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
JACOBS, LASHONDA T

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/768,432	PISUPATI ET AL.
	Examiner	Art Unit	
	LaShonda T. Jacobs	2157	'

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *03 October 2005*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-16 and 18-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-16 and 18-21* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This is a Final Office Action in response to Applicants' Amendment/Request for

Reconsideration filed on October 3, 2005. Claims 1-5, 7-12, 14-16, 18-19 and 21 have been

amended. Claim 17 has been cancelled. Claims 1-16 and 18-21 are presented for further

examination.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims **1-16** and **18-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Blair et al (hereinafter, "Blair", U.S. Pat. No. 6,182,227) in view of Karim (U.S. Pat. No.

6,654,892) and in further view of Motoyama (U.S. Pat. No. 5,819,110).

As per claim **1**, Blair discloses a device comprising:

- a set of computing resources (col. 1, lines 11-27, col. 3, lines 58-67, col. 4, lines 1-10,

    lines 34-39 and col. 8, lines 1-9); and

- service handler (web server) (abstract, col. 1, lines 11-27, col. 3, lines 58-67, col. 4,

    lines 1-10, col. 5, lines 30-67 and col. 6, lines 1-2).

However, Blair does not explicitly disclose:

- receiving an email message that specifies an access function pertaining to a service provided by a set of software code and that performs the access function in response to the email message.

Karim discloses a method and apparatus for accessing a document across a firewall including:

- receiving an email message that specifies an access function pertaining to a service provided by a set of software code and that performs the access function in response to the email message (abstract, col. 2, lines 10-31, col. 3, lines 25-53, col. 4, lines 3-11, lines 48-67, col. 5, lines 50-67, col. 6, lines 1-6, col. 8, lines 1-7 and lines 45-61).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Karim's teachings of a method and apparatus for accessing a document across a firewall, for the purpose of providing a high level of security in a given network [see Karim, col. 1, lines 56-58 and col. 2, lines 10-31]. Thus, Blair provides the motivation to combine by providing a security scan or other access request to a service or resource on a target server [see Blair, col. 2, lines 14-19 and lines 41-49].

Blair in view of Karim discloses the invention substantially as claims discussed above. However, they do not explicitly disclose:

- wherein the access function causes the service handler to load and run the service by running the software code of on the computing resources.

Motoyama discloses a method and system for monitoring, controlling and diagnosing operation of a machine comprising:

- wherein the access function causes the service handler to load and run the service <u>by running the software code of</u> on the computing resources (monitoring, controlling and diagnosing operation of a machine) on the computing resources (see Figures 6 and 7, col. 7, lines 62-67 and col. 8, lines 1-10)

Given the teaching of Motoyama, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Blair in view of Karim by including a parser to process and store incoming information regarding the operation of a machine in order to have quick and efficient access to information regarding the operating characteristics and reliability of the machines.

As per claim 7, Blair discloses a communication system comprising:

- device having a set of computing resources and a service handler (col. 1, lines 11-27, col. 3, lines 58-67, col. 4, lines 1-10, lines 34-39 and col. 8, lines 1-9);

- firewall (gateway) that controls access to the device from outside of <u>a network</u> (col. 6, lines 48-62); and

- computing element that transfers an email message to the service handler such that the email message (col. 5, lines 30-67 and col. 6, lines 1-2).

However, Blair does not explicitly disclose:

- specifying an access function pertaining to the service <u>provided by a set of software code</u>.

Karim discloses a method and apparatus for accessing a document across a firewall including:

- specifying an access function pertaining to the service <u>provided by a set of software code</u> (abstract, col. 2, lines 10-31, col. 3, lines 25-53, col. 4, lines 3-11, lines 48-67, col. 5, lines 50-67, col. 6, lines 1-6, col. 8, lines 1-7 and lines 45-61).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Karim's teachings of a method and apparatus for accessing a document across a firewall, for the purpose of providing a high level of security in a given network [see Karim, col. 1, lines 56-58 and col. 2, lines 10-31]. Thus, Blair provides the motivation to combine by providing a security scan or other access request to a service or resource on a target server [see Blair, col. 2, lines 14-19 and lines 41-49].

Blair in view of Karim discloses the invention substantially as claims discussed above. However, they do not explicitly disclose:

- wherein the access function causes the service handler to <u>invoke</u> the service <u>by running the software code</u> using computing resources.

Motoyama discloses a method and system for monitoring, controlling and diagnosing operation of a machine comprising:

- wherein the access function causes the service handler (i.e. parsing process) to <u>invoke</u> the service (monitoring, controlling and diagnosing operation of a machine) <u>by running the software code</u> using computing resources (see Figures 6 and 7, col. 7, lines 62-67 and col. 8, lines 1-10)

Given the teaching of Motoyama, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Blair in view of Karim by including a parser to process and store incoming information regarding the operation of a machine in order to have

quick and efficient access to information regarding the operating characteristics and reliability of

the machines.

As per claim **14**, Blair discloses a method for accessing a service <u>provided by a set of</u>

<u>software code</u> in a device comprising:

- transferring an email message to the device (col. 5, lines 48-60); and

However, Blair does not explicitly disclose:

- the email message specifies an access function pertaining to the service; and

- <u>invoking the service</u> in response to the email message.

Karim discloses a method and apparatus for accessing a document across a firewall

including:

- such that the email message specifies an access function pertaining to the service

    (abstract, col. 2, lines 10-31, col. 3, lines 25-53, col. 4, lines 3-11, lines 48-67, col. 5,

    lines 50-67, col. 6, lines 1-6, col. 8, lines 1-7 and lines 45-61);

- <u>invoking the service</u> in response to the email message (abstract, col. 2, lines 10-31, col.

    3, lines 25-53, col. 4, lines 3-11, lines 48-67, col. 5, lines 50-67, col. 6, lines 1-6, col. 8,

    lines 1-7 and lines 45-61).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to have incorporated Karim's teachings of a method and apparatus for

accessing a document across a firewall, for the purpose of providing a high level of security in a

given network [see Karim, col. 1, lines 56-58 and col. 2, lines 10-31]. Thus, Blair provides the

motivation to combine by providing a security scan or other access request to a service or

resource on a target server [see Blair, col. 2, lines 14-19 and lines 41-49].

Blair in view of Karim discloses the invention substantially as claims discussed above.

However, they do not explicitly disclose:

- running <u>the software code of</u> the service on the computing resources in the device.

Motoyama discloses a method and system for monitoring, controlling and diagnosing

operation of a machine comprising:

- running <u>the software code of</u> the service (monitoring, controlling and diagnosing

   operation of a machine) on the computing resources in the device (see Figures 6 and 7,

   col. 7, lines 62-67 and col. 8, lines 1-10).

Given the teaching of Motoyama, it would have been obvious to one of ordinary skill in the

art at the time the invention was made to modify Blair in view of Karim by including a parser to

process and store incoming information regarding the operation of a machine in order to have

quick and efficient access to information regarding the operating characteristics and reliability of

the machines.

As per claims **2** and **10**, Blair discloses:

- wherein the email message carries <u>the software code of</u> the service (col. 5, lines 30-67,

   col. 6, lines 1-2 and lines 27-62).

As per claims **4** and **12**, Blair discloses:

- a service handler (col. 5, lines 30-67, col. 6, lines 1-2 and lines 27-62).

However, Blair does not explicitly disclose:

- performing the access function by passing a command to the service <u>when running on</u>

   <u>the computing resources</u>.

Karim discloses a method and apparatus for accessing a document across a firewall

including:

- performing the access function by passing a command to the service <u>when running on</u>

  <u>the computing resources</u> (abstract, col. 2, lines 10-31, col. 3, lines 25-53, col. 4, lines 3-

  11, lines 48-67, col. 5, lines 50-67, col. 6, lines 1-6, col. 8, lines 1-7 and lines 45-61).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to have incorporated Karim's teachings of a method and apparatus for

accessing a document across a firewall, for the purpose of providing a high level of security in a

given network [see Karim, col. 1, lines 56-58 and col. 2, lines 10-31]. Thus, Blair provides the

motivation to combine by providing a security scan or other access request to a service or

resource on a target server [see Blair, col. 2, lines 14-19 and lines 41-49].

As per claim **5**, Blair discloses:

- wherein the service handler enables access to the service <u>when running on the</u>

  <u>computing resources</u> in response to an HTTP command (col. 1, lines 11-27, col. 6, lines

  27-62 and col. 8, lines 17-30).

As per claims **6** and **13**, Blair discloses:

- wherein the service is a diagnostic service for the device (col. 5, lines 4-14 and col. 6,

  lines 43-47).

As per claim **8**, Blair further discloses:

- a computing element that accesses the service <u>when running on the computing resources</u>

  by transferring an HTTP command to the service handler via <u>the network</u> (col. 1, lines

  11-27, col. 6, lines 27-62).

As per claim **9**, Blair discloses:

- wherein the HTTP command includes a command associated with the service such that the service handler passes the command to the service <u>when running on the computing resources</u> in response to the HTTP command (col. 5, lines 30-60 and col. 6, lines 27-62).

As per claim **15**, Blair further discloses:

- transferring an HTTP command to the device via a network (col. 1, lines 11-27, col. 5, lines 48-60 and col. 6, lines 27-62); and

- accessing the service <u>when running on the computing resources</u> in response to the HTTP command (col. 5, lines 64-67, col. 1-2 and lines 27-62).

As per claim **16**, Blair discloses:

- wherein the email message carries <u>the software code of</u> the service (col. 5, lines 30-60 and col. 6, lines 27-62).

As per claim **18**, Blair discloses:

- wherein the email message carries a URL for <u>the software code</u> the service (abstract, col. 5, lines 30-67, col. 6, lines 1-2 and lines 27-47).

As per claims **3, 11** and **19**, Blair discloses:

- wherein the email message carries a URL for the service and service handler (abstract, col. 5, lines 30-67, col. 6, lines 1-2 and lines 27-47).

However, Blair does not explicitly disclose:

- performs the access function by obtaining <u>the software code of</u> the service from the URL (file).

Karim discloses a method and apparatus for accessing a document across a firewall
including:

- performs the access function by obtaining <u>the software code of</u> the service from the

  URL (file) (abstract, col. 2, lines 10-31, col. 3, lines 25-53, col. 4, lines 3-11, lines 48-

  67, col. 5, lines 50-67, col. 6, lines 1-6, col. 8, lines 1-7 and lines 45-61).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to have incorporated Karim's teachings of a method and apparatus for

accessing a document across a firewall, for the purpose of providing a high level of security in a

given network [see Karim, col. 1, lines 56-58 and col. 2, lines 10-31]. Thus, Blair provides the

motivation to combine by providing a security scan or other access request to a service or

resource on a target server [see Blair, col. 2, lines 14-19 and lines 41-49].

As per claim **20**, Blair discloses:

- wherein the email message includes a command associated with the service (abstract,

  col. 5, lines 30-67, col. 6, lines 1-2 and lines 27-47).

As per claim **21**, Blair discloses the invention substantially as claims discussed above:

However, Blair does not explicitly disclose:

- performing the access function by passing a command to the service <u>when running on</u>

  <u>the computing resources</u> in response to the email message.

Karim discloses a method and apparatus for accessing a document across a firewall

including:

- performing the access function by passing a command to the service <u>when running on</u>

  <u>the computing resources</u> in response to the email message (abstract, col. 2, lines 10-31,

col. 3, lines 25-53, col. 4, lines 3-11, lines 48-67, col. 5, lines 50-67, col. 6, lines 1-6,

col. 8, lines 1-7 and lines 45-61).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to have incorporated Karim's teachings of a method and apparatus for

accessing a document across a firewall, for the purpose of providing a high level of security in a

given network [see Karim, col. 1, lines 56-58 and col. 2, lines 10-31]. Thus, Blair provides the

motivation to combine by providing a security scan or other access request to a service or

resource on a target server [see Blair, col. 2, lines 14-19 and lines 41-49].

Response to Arguments

3.   Applicant's arguments filed October 3, 2005 have been fully considered but they are not

persuasive.

The Office Notes the following Arguments:

a. Blair and Karim and Motoyama do not disclose or suggest using an email message to invoke

the program code of a service on a set of computing resources in a device as claimed in amended

claim 1.

b. Motoyama does not disclose or suggest invoking the program code of a service in response to

an email service as claimed in amended claim 1.

In Response to:

(a)-(b), Applicants argue that Blair and Karim and Motoyama does not disclose or suggest using

an email message to invoke the program code of a service on a set of computing resources in a

device as claimed in amended claim 1. However, the Examiner disagrees Blair discloses several

different computing resources that access a service handler (web server) in order to retrieve and

receive information. Although, Blair does explicating disclose an email message that specifies

an access function pertaining to a service provided by a set of software code and that performs

the access function in response to the email message. Karim was combined with Blair to

incorporate receiving email messages from a server that has files with executable code. Once the

file is access by the user, the code is automatically executed on the computing the device (see

Karim, Col. 6, lines 26-40 and col. 8, lines 45-61). Motoyama was combined with Blair and

Karim to incorporate running the software code of the service (monitoring, controlling and

diagnosing operation of a machine) on the computing resources in the device. Motoyama

discloses monitoring, controlling and diagnosing operation of a machine by receiving email

messages to parse and execute code on a machine in order to diagnose problems with machine.

Therefore, Blair and Karim and Motoyama discloses using an email to invoke the program code

of a service on a set of computing resources in a device as claimed in amended claim 1.

Conclusion

4.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004.

The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T Jacobs
Examiner
Art Unit 2157

ltj
November 30, 2005

ABDULLAHI SALAD
PRIMARY EXAMINER